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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/934,184	08/21/2001	Andrew Paul Sadler	5181-77301	7668
7590 07/03/2006				
B. Noel Kivlin Conley, Rose, & Tayon, P.C. P.O. Box 398 Austin, TX 78767			EXAMINER HEWITT II, CALVIN L	
			ART UNIT 3621	PAPER NUMBER

DATE MAILED: 07/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/934,184

Applicant(s)

SADLER ET AL.

Examiner

Calvin L. Hewitt II

Art Unit

3621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 April 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-45 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Status of Claims

1. Claims 1-45 have been examined.

Response to Amendments

2. Applicant's arguments with respect to claims 1-45 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 101

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 15, 16, 37-43 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claims 15, 16, and 37 are non-statutory because each is directed to a computer program not stored on a computer readable medium (MPEP, 2100-13, second column, second paragraph).

Claims 38-43 are also rejected as each depends from claim 37.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claim 2 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 2 recites the limitation "identifying the format in which the message was received" in lines 1 and 2. There is insufficient antecedent basis for this limitation in the claim. Specifically, claim 1 has been amended to recite "receiving a message", however, the claim does not refer to a format of the message.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1-6, 11, 15-20, 26-29, 33-42, 44, and 45 are rejected under 35 U.S.C. 102(b) as being Fischer by U.S. Patent No. 5,005,200.

As per claims 1-6, 11, 15-20, 26-29, 33-42, 44, and 45, Fisher teaches a method for routing messages comprising:

- receiving a message from a sender (column 17, lines 18-33)
- a parser for converting the message into an internal format by adding at least an attribute part to a data part of the received message (column 17, lines 30-41 and 60-66)
- a protocol handler for writing into said attribute part data extracted from said received message and data indicative of a protocol (column 17, lines 36-38 and 45-46)
- routing said converted message in dependence on the data in said attribute part (figure 5; column 11, lines 25-52; column 12, lines 55-62; column 17, lines 26-30; column/line 17/60-18/2; column 19, lines 1-6)
- identifying the format in which the message was received (i.e. verifying the sender's signature, authenticating the identity of the sender) (figures 5 and 8; column/line 2/66-3/10; column 16, lines 18-24; column 17, lines 33-36; column 19, lines 1-6; column 21, lines 27-35) and writing data identifying that format (the signature) into said attribute part (figures 2 and 4; column 17, lines 40-46)

- determining where to send the message in dependence on the attributes (figure 5; column 17, lines 60-65)
- identifying a set of services to which the message is addressed (figure 5; column 4, lines 42-50; column/line 4/63-5/19; column 7, lines 3-14; column 17, lines 34-38; column 19, lines 1-6)
- storing a plurality of routing rules (figure 5; column 19, lines 32-64) and determining the sender's authorization to access a service based on comparing routing rules with the attributes of a converted message (column 11, lines 25-52; column 12, lines 55-62; column 17, lines 26-30; column/line 17/60-18/2; column 19, lines 1-6; column 21, lines 27-35)
- a router for routing converted messages in dependence on the attributes (column 10, lines 7-11; column 11, lines 25-52; column 12, lines 55-62; column 17, lines 26-30; column/line 17/60-18/2; column 19, lines 1-6; column 21, lines 27-35)
- protocol handlers for extracting protocol data from a message in a particular format (column 17, lines 30-41 and 60-66), selecting a handler based on the message received and the type of data in the message (figure 5; column 4, lines 13-29; column 21, lines 27-35)

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fischer by U.S. Patent No. 5,005,200 in view of Maytas, U.S. Patent No. 6,102,287.

As per claim 7, Fischer discloses a method for routing messages wherein it is determined whether the sender is authorized to access at least one service and sending the message to the identified service (column 10, lines 18-49; column 11, lines 28-51; column 19, lines 1-6). However, Fischer does not explicitly recite the service updating the attribute part of the message. Maytas teaches a service updating an attribute of a message. Specifically, Maytas discloses a seller signing a payment order message and returning the signed order as a proof-of-purchase (column 11, lines 34-39; column 14, lines 37-43; column 15, lines 12-25; column 28, lines 25-31). Therefore, it would have been obvious to one of ordinary skill to combine the teachings of Fischer and Maytas in order to allow a user to provide evidence of a transaction in the event a problem arises in the purchased product.

10. Claims 12-14, 30-32 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fischer by U.S. Patent No. 5,005,200.

As per claims 12-14, 30-32 and 43, Fischer teaches a manager, for example, reviewing a purchase order (column 17, lines 25-53). It is well known that a manager supervises a plurality of employees and that multiple purchase requests are submitted to the manager for authorization, thus forming a "queue". Therefore, it would have been obvious for the manager to review a particular purchase order to see if the manager has already applied the signature (i.e. transaction identifier) before the order is sent to a merchant and if not apply the signature (see USPTO, SPE, junior examiners). Fischer also teaches a manager using a digital signature (i.e. transaction identifier) to determine whether there exists previously stored context indicating a state of the transaction (column 15, lines 42-59; column 17, lines 33-36). Fischer also teaches the manager adding (or updating) context (column 15, lines 42-59; column 17, lines 41-47) to the message if the manager desires (column 15, lines 56-59).

11. Claims 21-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fischer by U.S. Patent No. 5,005,200 in view of Barnes et al., U.S. Patent No. 5,970,475.

As per claims 21-25, Fischer teaches authenticating the sender of a message, identifying a set of services to which the message is addressed, and

determining whether the sender is authorized to access said services using stored routing rules and attributes of a converted message (figure 5; column 11, lines 25-52; column 12, lines 55-62; column 17, lines 26-46; column/line 17/60-18/2; column 19, lines 1-6). However, Fischer does not explicitly recite a device for automating the process. Barnes et al. teach a procurement system server that routes a purchase order to a supervisor based on the attributes of a message and routing rules (column 18, lines 33-54). Therefore, it would have been obvious to one of ordinary skill to combine the teachings of Fischer and Barnes et al. (*In re Venner*, 120 USPQ 192 (CCPA 1958)).

Conclusion

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory

action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

13. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Calvin Loyd Hewitt II whose telephone number is (571) 272-6709. The Examiner can normally be reached on Monday-Friday from 8:30 AM-5:00 PM.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, James P. Trammell, can be reached at (571) 272-6712.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
c/o Technology Center 3600
Washington, D.C. 20231

or faxed to:

(571) 273-8300 (for formal communications intended for entry and after-final communications),

or:

(571) 273-6709 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-

free).



Calvin Lloyd Hewitt II
Primary Examiner

June 24, 2006